

Message Text

LIMITED OFFICIAL USE

PAGE 01 GENEVA 06097 311839Z

43

ACTION EB-07

INFO OCT-01 EUR-12 IO-10 ISO-00 L-03 FRB-03 OMB-01 TAR-01

SP-02 AGR-05 AID-05 CIAE-00 COME-00 INR-07 LAB-04

NSAE-00 OIC-02 SIL-01 STR-04 TRSE-00 CIEP-01 CEA-01

/070 W

----- 023785

P R 311747Z JUL 75

FM USMISSION GENEVA

TO SECSTATE WASHDC PRIORITY 5059

INFO USUN NEW YORK 2209

USMISSION OECD PARIS

USMISSION EC BRUSSELS

LIMITED OFFICIAL USE GENEVA 6097

FOR EB/CBA/BP

E.O. 11652: N/A

TAGS: EGEN, UNCTAD

SUBJECT: UNCTAD: EXPERTS GROUP OF REVISION OF PATENT SYSTEM

REF: WINTER-LOCKWOOD/ALLEN TELECONS

1. MINI-GROUP OF TRANSFER OF TECHNOLOGY (UK, FRG, SWISS, US)
PLUS EC-9 REPRESENTATIVE AND GROUP B COORDINATOR MET TO
DISCUSS METHOD APPROACH UNCTAD EXPERT GROUP MEETING ON
REVISION OF PATENT SYSTEM. FRANCE UNABLE TO ATTEND DUE
PRIOR COMMITMENT.

2. CONSENSUS WITHIN MEETING THAT UNCTAD SECRETARIAT (READ
PATEL) WILL ENDEAVOR TO SO LOAD DICE PRIOR TO MEETING OF
UNCTAD EXPERTS GROUP SO AS TO ENLIST G-77 SUPPORT FOR
PATEL-INSPIRED MOVE TO USURP WIPO ROLE IN REVISION OF
PARIS CONVENTION ON PATENTS. DOCUMENTATION FOR FORTHCOMING
MEETING OF EXPERTS SERIOUSLY DELAYED WITHIN SECRETARIAT
LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 02 GENEVA 06097 311839Z

(SUBMITTED FOR TRANSLATION ONLY ON JULY 28, WHICH

MEANS THAT UNDER BEST OF CIRCUMSTANCES IT WILL BECOME GENERALLY AVAILABLE AT VERY EARLIEST MID-AUGUST). ALSO GENERALLY BELIEVED PATEL WILL STAGE PRIOR CONSULTATIONS AND WILL RELEASE DOCUMENTATION TO G-77 MEMBERS SOMETIME BEFORE COMMENCEMENT OF EXPERTS GROUP ON SEPTEMBER 1, ALTHOUGH NO EVIDENCE IS AVAILABLE OF HIS INTENTIONS YET FROM G-77 SOURCES. ALSO GENERALLY BELIEVED THAT DOCUMENTATION WILL CONTAIN FAIRLY FULLY DEVELOPED RECOMMENDATIONS ON 14 POINTS RAISED BY G-77 FOR REVISION OF PARIS CONVENTION IN VIEW OF WELL-KNOWN DESIRE OF PATEL TO MOVE IN THIS FIELD OF WIPO COMPETENCE. NO SPECIFICS OF SECRETARIAT PROPOSALS NOW AVAILABLE, ALTHOUGH IT IS BELIEVED WE CAN OBTAIN SUB ROSA COPY OF DRAFT OF UNCTAD DOCUMENTATION NEXT WEEK.

3. CONSENSUS OF MINI-GROUP THAT ANY ATTEMPT TO THWART PATEL'S EFFORTS THROUGH PROCEDURAL EFFORTS OR CLAIMS OF JURISDICTIONAL INCOMPETENCE, EITHER IN FORTHCOMING 15TH TDB OR AT OPENING OF EXPERTS GROUP, WOULD PLAY DIRECTLY INTO PATEL'S HANDS BY REINFORCING SUPPORT OF G-77 CONSTITUENCY FOR HIS EFFORTS. MINI-GROUP GENERALLY OF OPINION THAT WE MUST RECOGNIZE THAT FIRST LINE OF DEFENSE HAS NOW EFFECTIVELY BEEN TRANSFERRED FROM WIPO, WHERE TECHNICAL AND LEGAL REALITIES ARE UPPERMOST, TO UNCTAD, WHERE QUASI-ECONOMIC AND POLITICAL CONSIDERATIONS PRE-DOMINATE; AND THAT WESTERN COUNTRIES MUST BE PREPARED TO ENGAGE IN DEFENSIVE ACTION WITHIN UN/UNCTAD POLITICAL CONTEXT.

4. GENEVA-BASED REPS BELIEVE THAT WHILE WE MAY BE ABLE TO STALL ANY SERIOUS CONSIDERATION AT SEPT. 1 EXPERTS GROUP MEETING, EVENTUALLY WE MUST BE IN POSITION TO ENTER INTO DETAILED, THOROUGHLY PREPARED, PRESENTATION OF OUR VIEWS COMMENSURATE WITH OUR EFFORTS ON TRANSFER OF TECHNOLOGY CODE. WE MAY CONCEIVABLY USE AT FORTHCOMING TDB PRETEXT OF LATE DOCUMENTATION TO FORESHADOW OUR INABILITY TO ENTER INTO DETAILED SUBSTANTIVE DISCUSSION ON SEPTEMBER 1 OF SECRETARIAT-INSPIRED EFFORTS, BUT, AT BEST, THIS WILL BE DELAYING ACTION AND WILL LEAD ONLY TO RECONVENING OF GROUP AT LATER DATE. THERE WAS GENERAL LIMITED OFFICIAL USE

LIMITED OFFICIAL USE

PAGE 03 GENEVA 06097 311839Z

AGREEMENT THAT NO EFFECTIVE SUPPORT COULD BE EXPECTED FROM GROUP D (EASTERN EUROPE) COUNTRIES BUT, RATHER, THAT THEY WILL MOUTH SUPPORT FOR G-77 AIMS WHILE AT SAME TIME RELYING GROUP B ULTIMATELY TO PROTECT THEIR INTERESTS.

5. THERE WAS AGREEMENT THAT MINI-GROUP, PLUS ADDITIONAL COUNTRIES OF GROUP B AS MAY BE DESIRABLE, SHOULD MEET IN GENEVA WEEK BEFORE OPENING OF SESSIONS OF EXPERTS GROUP

(AUGUST 25-29) TO CONSIDER AGAIN TACTICS AND SUBSTANCE IN
LIGHT OF DEVELOPMENTS. MOST GROUP B COUNTRIES WILL HAVE
REPRESENTATIVES AVAILABLE IN GENEVA ATTENDING WIPO MEETING
ON THE HAGUE CONVENTION. USDEL INDICATED U.S. MISSION
PREPARED TO MAKE AVAILABLE MEETING SPACE SHOULD THIS BE
NECESSARY.DALE

LIMITED OFFICIAL USE

NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PATENTS, COMMITTEE MEETINGS
Control Number: n/a
Copy: SINGLE
Draft Date: 31 JUL 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA06097
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750264-0901
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975075/aaaaadzx.tel
Line Count: 121
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: n/a
Review Action: RELEASED, APPROVED
Review Authority: GolinoFR
Review Comment: n/a
Review Content Flags:
Review Date: 24 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <24 APR 2003 by ShawDG>; APPROVED <28 APR 2003 by GolinoFR>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: UNCTAD: EXPERTS GROUP OF REVISION OF PATENT SYSTEM
TAGS: EGEN, UNCTAD
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006